



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

MM31/1221

KEVIN McDERMOTT
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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/647,461	05/03/96	017	HAYNES, M 2875	12/21/98
First Named Applicant: McDERMOTT, 35 USC 154(b) term ext. = 0 Days.				

TITLE OF INVENTION: ANGLED ELLIPTICAL AXIAL LIGHT DEVICE (AS AMENDED)

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2	313-512.000	M98	UTILITY	YES	\$605.00	03/22/99

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/647,461 05/03/96 MCDERMOTT

K

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EXAMINER

HAYNES, M

ART UNIT

PAPER NUMBER

2875

DATE MAILED:

12/21/98

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to the communication that was received on 10/28/98

☒ The allowed claim(s) is/are 37-53

☒ The drawings filed on 5/3/96 are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____

☐ including changes required by the proposed drawing correction filed on _____ which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Notice of Draftperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

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DETAILED ACTION

Response to Amendment

Allowable Subject Matter

1. Claims 37-53 are allowed.
2. The following is an examiner's statement of reasons for allowance: Applicant's claims 37-53 recite a lighting device that includes the following: a light source; a source of electrical power; wherein, the light source further includes a light emitting diode element; wherein, the light emitting diode element is coincident with a reference axis; a connecting means for connecting the source of electrical power to the light source; and wherein, the light emitting diode element emits a side light having a side divergence about the reference axis; a reflective surface connected to the light source disposed intersecting the side light, and the reflective surface comprising a substantially an elliptical line, wherein, the substantially elliptical line having an elliptical line axis, the elliptical line axis substantially intersecting the reference axis, the reflective surface including a reflecting means for forming a reflected light having a convergence about the reference axis; and a refractive surface connected to the reflective surface disposed intersecting the reflected light, the refractive surface including a refracting means for bringing the reflected light towards parallelism with the reference axis. None of the prior art discloses nor teach in combination all of the features of the applicant's claimed invention. More specifically, Sakai et al. (4,698,730) and Harris

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(2,254,961) disclose light sources in the form of light emitting diodes; Yet, neither Sakai et al. nor Harris disclose individually nor teach in combination the concept of the light emitting diode element emits a side light having a side divergence about the reference axis; a reflective surface connected to the light source disposed intersecting the side light, and the reflective surface comprising a substantially an elliptical line, wherein, the substantially elliptical line having an elliptical line axis, and the elliptical line axis substantially intersecting the reference axis, the reflective surface including a reflecting means for forming a reflected light having a convergence about the reference axis; and a refractive surface connected to the reflective surface disposed intersecting the reflected light, the refractive surface including a refracting means for bringing the reflected light towards parallelism with the reference axis. Since the prior art does not disclose individually nor teach in combination all of the features of the claimed invention, the claims are deemed patentable over the prior art of record.

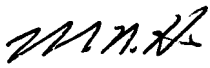
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mack Haynes whose telephone number is (703) 308-5460. The examiner can normally be reached on Mon.-Thurs from 9:00a.m. to 4:00p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea, can be reached on (703) 305-4939.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4900.


MNH


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800